

United States District Court
for
District of New Jersey
Report on Offender Under Supervision

Name of Offender: Michael O'Donnell

Cr.: 14-00444-001
PACTS #: 64221

Name of Sentencing Judicial Officer: THE HONORABLE CLAIRE C. CECCHI
UNITED STATES DISTRICT JUDGE

Date of Original Sentence: 06/17/2015

Original Offense: Racketeering Conspiracy

Original Sentence: Imprisonment - 21 months, Supervised Release -- 36 months

Special Conditions: Special Assessment \$100, Fine \$5,000, Substance Abuse Testing, Alcohol Treatment, Drug Treatment, Computer Search, Gambling Restrictions, Gang Associate/Member, No New Debt/Credit, Computer Monitoring Software, Computer Search for Monitoring Software, Gang Restriction Court Ordered

Type of Supervision: Supervised Release

Date Supervision Commenced: 02/16/2017

NONCOMPLIANCE SUMMARY

The offender has not complied with the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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- | | |
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| 1. | The offender has violated the standard supervision condition which states 'The Defendant shall submit to an Initial Inspection by the U.S. Probation Office, and to any unannounced examinations during supervision, of your computer equipment. This includes, but is not limited to, personal computer, personal digital assistants, entertainment consoles, cellular telephone, and/or any electronic media device which is owned or accessed by you. You shall allow the installation on your computer of any hardware or software systems which monitor computer use. You shall pay the costs of the computer monitoring program. You shall abide by the standard conditions of computer monitoring. Any dispute as to applicability of the condition shall be decided by the Court.' |
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On November 30, 2018, during a visit to the offender's residence, he informed that his employer issued him a smartphone in relation to a recent promotion; he was named foreman for the company. He was also provided with a company owned pickup truck to operate for work related travel throughout the state. O'Donnell maintains a personal cellular phone which has been an analog version, but the company owned cellular phone is able to connect to the internet and the offender was informed that based upon such, his access to such a device would be reported to the Court, as well as become subject to any data searches conducted by the Probation Office. The offender verbalized an understanding of such and pledged full cooperation.

U.S. Probation Officer Action:

The undersigned probation officer has inspected the offender's residence on a number of occasions and has determined that he has not had access to any unreported devices with which to access the internet. He has been cooperative with our office during such inspections and has been gainfully employed for a construction company. O'Donnell is currently fulfilling a contract with a utility company to install new digital utility poles along the corridors of the major New Jersey roadways. Recently, the offender was promoted to the position of being a foreman for the company, and as such, the company has issued him a phone to assist in managing the project, view blueprints and to conduct other company business.

Based upon the offender's long term employment, the lack of any information suggesting that he is using any electronic devices absent authorization by the Court and the Probation Office, and that our office has no indications that the offender has been communicating or associating with members of any Organized Crime Group, we would respectfully submit that the Court take no action at this time. We are recommending the Court to allow for the offender to utilize his company issued smart phone, which will be subject to random searches conducted by the Probation Office.

Respectfully submitted


By: Carolyn S. Johnson
U.S. Probation Officer

Date: 01/11/2019

Please check a box below to indicate the Court's direction regarding action to be taken in this case:

- ☒ No Formal Court Action to be Taken at This Time (as recommended by the Probation Office)
☐ Submit a Request for Modifying the Conditions or Term of Supervision
☐ Submit a Request for Warrant or Summons
☐ Other



Signature of Judicial Officer

2/4/19

Date